

Serial No. 09/760,017
60130-984
00MRA0174

REMARKS

Claims 9-12 have been added by this amendment. Claims 9 and 11 are directed to the embodiment of Figure 4.


Claim 5 stands rejected as being dependent upon a rejected base claim, but the Examiner indicated that claim 5 would be allowable if rewritten in independent form to include the features of the base claim and any intervening claim. Claim 5 has been amended to include the features of independent claim 1.

Claims 1, 4 and 8 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by Takeda (GB 2289351). Takeda does not disclose a motorized reduction gear including a magnetic ring attached on an outer surface of a body of a commutator as claimed. Takeda discloses a power window apparatus including a tubular collar 21 fastened to a rotating shaft 17. The tubular collar 21 has a commutator 20 (page 9, lines 2-3). A magnetic sensor 33 is fastened around the rotating shaft 17 using the tubular collar 21 that supports the commutator 20 (page 10, lines 8 to 13). As further shown in Figure 1, the commutator 20 is located at one end of the tubular collar 21, and the magnetic sensor 33 is located at the other end of the tubular collar 21. The magnetic sensor 33 is not mounted on the commutator 20 as claimed, but is rather mounted on the tubular collar 21. The claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 1-12 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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Dated: August 11, 2005

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on August 11, 2005.


Amy M. Spaulding